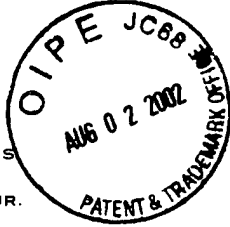


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August 2, 2002

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I hereby certify that this paper and all papers and fees referred to herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed U.S. Patent and Trademark Office, Box Sequence, P. O. Box 2327, Arlington, VA 22202

Bonnie S. Sheridan  
Bonnie S. Sheridan

U.S. Patent and Trademark Office  
Box Sequence  
P. O. Box 2327  
Arlington, VA 22202

Re: U.S. Patent Application Serial No. 10/044,315 for  
COMPOUNDS, METHODS AND COMPOSITIONS USEFUL  
FOR THE TREATMENT OF BOVINE VIRAL DIARRHEA  
VIRUS (BVDV) INFECTION AND HEPATITIS C VIRUS  
(HCV) INFECTION  
Our File No. 421/60/18/2

Sir:

Enclosed please find the following:

1. A Response to the Notice to File Missing Parts (2 pages);
2. A copy of the Notice to File Missing Parts (2 pages);
3. Petition for a 3 Month Extension of Time (2 pages);
4. Change of Correspondence Address (1 page);
5. An executed Declaration (7 pages);
6. Recordation Form Cover Sheet (Form PTO-1595) (1 page);

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Page 2

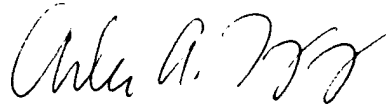
7. An executed Assignment (2 pages);
8. Preliminary Amendment and Response to Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures (2 pages);
9. Statement That Sequence Listing and Computer Readable Copy are the same (1page);
10. A Sequence Listing in Computer Readable form (diskette) and paper (2 pages)
11. A copy of Raw Sequence Listing Error Report (4 pages);
12. A return-receipt postcard to be returned to our offices with the U.S. Patent and Trademark filing stamp thereon; and
13. Express Mail Certificate No. EV118434243US.

Please contact our offices if there are any questions with this matter.

The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account Number 50-0426.

Respectfully submitted,

JENKINS & WILSON, P.A.



Arles A. Taylor, Jr.  
Registration No. 39,395

AAT/ptw  
Enclosures  
Customer No. Bar Code Label:



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PATENT TRADEMARK OFFICE

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Dykstra et al.

Group Art Unit: 1633

Serial No.: 10/044,315

Examiner: Unknown

Filed: January 11, 2002

Docket No.: 421/60/18/2

Confirmation No.: 6772

For: COMPOUNDS, METHODS AND COMPOSITIONS USEFUL FOR THE  
TREATMENT OF BOVINE VIRAL DIARRHEA VIRUS (BVDV) INFECTION  
AND HEPATITIS C VIRUS (HCV) INFECTION

\*\*\*\*\*

RESPONSE TO NOTICE TO FILE MISSING PARTS  
- FILING DATE GRANTED

U.S. Patent and Trademark Office  
BOX SEQUENCE  
P. O. Box 2327  
Arlington, VA 22202

Sir:

Pursuant to the "Notice to File Missing Parts of Application - Filing Date Granted" dated March 14, 2002, and having a period for response set to expire on May 14, 2002, please find enclosed the following: Applicants respectfully request an extension of time to extend the deadline to August 14, 2002.

1. Change of Correspondence Address;
2. An original executed Declaration for the above-referenced U.S. Patent Application;
3. An original executed Assignment and related Recordation Form Cover Sheet for the above-referenced U.S. Patent Application;
4. Preliminary Amendment and Response to Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;
5. Sequence Listing in Computer Readable Form (diskette) and on paper;

Appl. Serial No.: 10/044,315

6. Statement that Sequence Listing and Computer Readable copy are the same;  
and

7. A Petition for a 3-month Extension of Time in duplicate.

A copy of the Notice to File Missing Parts is being filed simultaneously.

It should be noted that upon review of the file it was determined that large entity status is appropriate. The Commissioner is hereby authorized to charge the amount of \$4218.00 (fees represented below) in connection with the filing of this correspondence to Deposit Account No. 50-0426.

\$740 - Filing fee (large entity);

\$840 - 10 Independent claims in excess of 3;

\$1548 - 86 Claims in excess of 20;

\$130 - Surcharge for filing Missing Parts;

\$920 - Petition for a Three Month Extension of Time;

\$40 - Assignment Recordation fee.

The Commissioner is hereby authorized to charge any other fee associated with the filing of this correspondence, to Deposit Account No. 50-0426.

Respectfully submitted,

JENKINS & WILSON, P.A.

Date: 08/02/2002

By:

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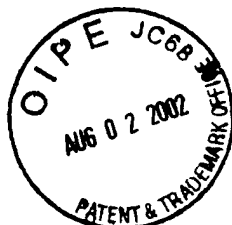


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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/044,315	01/11/2002	Christine C. Dykstra	5470-333

20792  
MYERS BIGEL SIBLEY & SAJOVEC  
PO BOX 37428  
RALEIGH, NC 27627



CONFIRMATION NO. 6772

## FORMALITIES LETTER



\*OC000000007641231\*

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Date Mailed: 03/14/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/08/2002 MBERHE 00000023 500426 10044315

FILED UNDER 37 CFR 1.53(b)

01 FC:101 740.00 CH  
02 FC:105 130.00 CH  
03 FC:103 1548.00 CH  
04 FC:102 840.00 CH

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 370 to complete the basic filing fee for a small entity.*
- Total additional claim fee(s) for this application is \$1194.
  - \$774 for 86 total claims over 20.
  - \$420 for 10 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1629.**
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).


For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600

- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

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